

After months of political and armed tension between the opposition Mozambique National Resistance (RENAMO)—a former rebel movement—and the ruling Front for the Liberation of Mozambique (FRELIMO), RENAMO was able to activate at least one military front in each region of the country by January 2014, generating fear among the population and increased civilian deaths. However, after negotiations that restarted that month, in August 2014 they agreed to a cease-fire accord that put an end to the military hostilities and brought peace to Mozambique. The leaders of RENAMO and FRELIMO, Afonso Dhlakama and Armando Guebuza, signed the Peace Accord in September.

In October 2014, RENAMO and 29 other parties participated in elections that international observers deemed transparent and fair, despite some irregularities. Both RENAMO and the Democratic Movement of Mozambique (MDM) called for the annulment of the results. The National Elections Commission and the Constitutional Council denied MDM and RENAMO's claims, and the election results were announced at the end of December.

Political Rights and Civil Liberties:

Political Rights: 23 / 40 [\[Key\]](#)

A. Electoral Process: 6 / 12

The president, who appoints the prime minister, is elected by popular vote for up to two five-year terms. Members of the 250-seat, unicameral Assembly of the Republic are also elected for five-year terms. The national government appoints the governors of the 10 provinces and Maputo. Despite the introduction of elected provincial assemblies and municipal governments, power remains highly centralized, particularly in the hands of the president.

In February 2014, RENAMO and FRELIMO agreed on the composition of the Technical Secretariat for Electoral Administration (STAE), the provincial and city election commissions, and the National Elections Commission. The latter would be comprised of 17 members: five from FRELIMO, two from RENAMO, one from MDM, three from civil society, one judge, and one lawyer. The same month, the National Assembly approved three election laws incorporating several of RENAMO's demands.

In August, the National Elections Commission distributed funds to the parties participating in the legislative and provincial elections and to the three presidential candidates: Filipe Nyusi, Afonso Dhlakama, and Daviz Simango. FRELIMO, RENAMO, and MDM were allocated approximately half of the budget made available. Eight presidential candidates that were excluded by the Constitutional Council, including the representatives of six small parties, accused the council of partiality.

After an intense campaign, international observers agreed that October 15 elections were free, transparent, and fair, despite the occurrence of a few incidents during the electoral campaign and the actual vote. The National Elections Commission recognized that the irregularities that occurred, including violent exchanges in Gaza and Nampula provinces, tarnished the electoral campaign but that the elections were otherwise free.

After the National Election Commission released the preliminary results—an absolute majority for FRELIMO in the assembly and a 57 percent presidential win for FRELIMO's Nyusi—RENAMO and MDM

called on the Constitutional Council and the National Elections Commission to annul the elections. Both highlighted irregularities in the electoral process including discrepancies in the number of registered voters and the intervention of the police in Angoche and Nampula. Several civil society organizations also pointed to irregularities that could have compromised the final results. The National Elections Commission investigated the irregularities despite having announced the final results. EU monitors expressed concern about delays in the official and final vote tabulation. In November, the election commission voted against RENAMO's request for the annulment of the elections, alleging that the request was in violation of the law. On December 30, the National Elections Commission declared Nyusi the winner of the presidential election, and the Constitutional Council confirmed the victory. FRELIMO won 144 parliamentary seats, RENAMO took 89, and MDM won 17.

B. Political Pluralism and Participation: 10 / 16

FRELIMO, the political party that grew out of the former guerrilla group that had fought to win Mozambique's independence, is the only party to have held power nationally. Its unbroken incumbency has allowed it to acquire significant control over state institutions. Popular support for RENAMO—which fought FRELIMO in the 16-year civil war—and Dhlakama has dropped in recent years. MDM, which formed when certain RENAMO politicians broke with the party in 2009, has rapidly established itself as a viable political force.

The 2014 elections demonstrated that FRELIMO's historic predominance is eroding. At the provincial level, FRELIMO lost 219 seats and in some provinces RENAMO won decisively. In the National Assembly, FRELIMO lost 47 seats and its two-thirds majority. Meanwhile, both RENAMO and MDM increased their presence in the National Assembly.

In December 2014, outgoing president Guebuza promulgated a law approving the Special Statute of the Leader of the Second Party, which would grant RENAMO's leader a considerable say in the country's future governance.

Political parties are expressly prohibited from identifying exclusively with any religious or ethnic group.

C. Functioning of Government: 7 / 12

Corruption in government and business remains pervasive despite a 2012 anticorruption law and the delegation of new powers to the Central Office for Combating Corruption. Observers note that anticorruption measures are not followed through, and police and judicial bodies cannot enforce them as they are also often corrupt. For example, the members of the Consulting Council for Muembe district have been accused of receiving bribes to approve projects and access the seven million meticaïs (\$200,000) allocated by the government to develop the district. At the national level, the Center for Public Integrity revealed a scheme of illegal automobile imports involving political parties, customs workers, importers, and middlemen. The parties say the cars were for its members and not for private use.

There are also some concerns regarding the role of President Guebuza in the allocation of oil and gas exploration blocks in Mozambique. Among other allegations, the president reportedly has pushed for the allocation of the Pemba Logistics Base to Orlean Investments, in which his daughter Valentina has a stake.

Mozambique was ranked 119 out of 175 countries and territories surveyed in Transparency International's

Civil Liberties: 35 / 60

D. Freedom of Expression and Belief: 12 / 16

Press freedom is legally protected, but reporters are often pressured, threatened, and censored, in addition to practicing self-censorship. Mozambique has a government-run daily, *Noticias*, and the privately owned *Diário de Moçambique*. There is also a state news agency and a state radio and television broadcaster. Independent media include several weeklies and the daily *O País*, a number of radio stations, and news websites. However, the government persistently controls the media. While there are no official government restrictions on internet use, opposition leaders have claimed that government intelligence services monitor online exchanges.

Religious freedom is well respected. More than 749 religious denominations and 182 religious organizations are currently registered with the Ministry of Justice. Academic freedom is sometimes restricted. A Mozambique academic was questioned in May 2014 after he posted a comment on Facebook that criticized the president. A criminal case had been brought against him in 2013.

E. Associational and Organizational Rights: 7 / 12

Associational and organizational rights are broadly guaranteed, but with substantial regulations. By law, the right to assemble is subject to notification and timing restrictions, and in practice it is also subject to governmental discretion. In July 2014, the “March for Peace,” organized by religious organizations and nongovernmental organizations (NGOs), brought thousands of people to the streets of Mozambique calling for an end to military and political tensions. Two days later, civil society representatives went to the National Assembly to ask for its help in restoring peace. NGOs operate openly but face bureaucratic hurdles in registering with the government, as required by law.

Workers have the right to form and join unions and to strike. In June the National Assembly approved the Law on Public Administration Unionization, which for the first time allows the establishment of unions in the public sector. The new law does not grant public sector workers the right to strike.

F. Rule of Law: 7 / 16

The National Assembly passed a new penal code in July 2014, despite criticism from the minister of justice, the attorney general, local civil society, and Amnesty International. After the assembly unanimously voted to overturn his veto, in December President Guebuza promulgated the code, which is set to come into force in early 2015.

Judicial independence remains limited due to scarce resources, poor training, a backlog of cases, corruption, and fear of violent retaliation. Minister of Justice Maria Benvinda Levi announced in May 2014 that her ministry is working toward improving the safety of judges. Her statement came two weeks after the brutal assassination of the head judge of the Criminal Investigation Section.

Of the 86 cases ruled on by the Supreme Court in 2013, more than half involved members of the National Assembly and people nominated by the president.

In 2014 the Human Rights Center of the Eduardo Mondlane University in partnership with the Mozambican Human Rights League produced a study on the current state of the prison population in five cities. The study highlighted the difficult conditions prisoners are facing, including being kept in prison for more time than the law authorizes, in part due to the slow processing of cases and the limited number of judges (about 300 judges for more than 22 million inhabitants). As a result, Mozambique's prisons are severely overcrowded. Although the government is trying to address this issue, progress is slow. Amnesty International condemned the use of excessive force by the police throughout 2014.

After a wave of kidnappings in 2013, the number of kidnappings decreased slightly to 42 in 2014. Meanwhile, the overall crime rate rose by 10.8 percent.

During the electoral campaign there were reports of police violence involving the Rapid Intervention Force and both RENAMO and FRELIMO supporters. Violent incidents involving FRELIMO and RENAMO were frequent in 2014. As part of the effort to reduce the tensions, President Guebuza promulgated an Amnesty Law that applies to all crimes committed against people and property in Mozambique linked to military confrontation between March 2012 and August 2014. Shortly thereafter, FRELIMO freed several RENAMO supporters from prison.

A key element of the September 2014 Peace Accord is the demilitarization, integration, and reinsertion of RENAMO militants. The government promised to create 300 posts in its armed forces for RENAMO men. The demilitarization process was set to start in November but was delayed by persistent disagreements between RENAMO and FRELIMO. For example, the government allocated \$10 million to the newly created Fund for Peace and National Reconciliation, a sum that RENAMO says will not cover the needs of the 600,000 people affected by the demilitarization (military plus their families).

Witch hunts continue to be a major problem in Mozambique, particularly in the south, where the elderly are murdered in high numbers after being accused of witchcraft. Police reportedly discriminate against minorities in the country, including Zimbabwean, Somali, and Chinese immigrants.

There are no explicit laws against same-sex sexual acts in Mozambique, and the 2014 Penal Code removes the offence of "vice against nature." Still, after seven years of attempting to obtain legal registration as an NGO, Mozambique's LGBT (lesbian, gay, bisexual, and transgender) rights group, LAMBDA, has yet to succeed. LAMBDA reports that LGBT people face social stigma and occasional violence. Many are afraid to take their cases to court.

G. Personal Autonomy and Individual Rights: 9 / 16

Movement within Mozambique is hampered by the presence of checkpoints manned by corrupt police officials, who often harass and demand bribes from travelers. Numerous examples of such incidents were reported throughout 2014. In late 2013, the government pledged to reduce the number of checkpoints, but little progress appears to have been made.

The law does not recognize private property; citizens obtain use rights to land from the government. Although this system is designed to provide secure access to land and property, it is plagued by logistical problems. Most citizens are uninformed about the land law and fail to properly register their traditional holdings. The government must approve all formal transfers of use rights, an often opaque and protracted

process. For these reasons, most land transactions occur on an extralegal market unsupervised by the state. A burdensome regulatory environment also constrains the establishment and operation of new businesses.

According to the first National Report on Business and Human Rights in Mozambique (2014), conducted by the Mozambican Human Rights League (LDH) and the Ministry of Justice, the majority of companies operating in the country do not respect the human rights principles set for businesses by the United Nations.

Mozambique has laws and national plans of action to reduce gender-based discrimination and violence against women, but offenses still occur. The new Penal Code has received mixed reviews from women's rights supporters: while it allows for abortion for the first time in Mozambique, it also allows a rapist to avoid punishment if he marries the victim. The latter provision was strongly opposed by civil society as well as government representatives and Attorney General Beatriz Buchili, the first woman to occupy this position.

Women's participation in politics is rising but still relatively small. While 29.6 percent of total candidates for the 2014 legislative elections were women, 97 percent of first-place holders in the party list were men and 87.2 percent of the top three spots were also held by men.

Children are particularly vulnerable to violence due to a fragile national child protection system and persistent impunity. NGOs are concerned that the new Penal Code violates children's rights in provisions on rape of minors, sexual acts, prior complaint, and the concealment of such crimes by family members. Nevertheless, according to the 2014 UNICEF Report on the Situation of Children in Mozambique, young children's lives are significantly better than their elders' were.

Human trafficking has been increasing, with Mozambicans taken to South Africa for sexual exploitation.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

[Full Methodology](#)